

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

PUBLIC SERVICES – CT Department – Smt N.Padmavathi, ACTO, O/o CTO, Lad Bazar Circle, Charminar Division - Request for regularization of Services and declaration of probation within the normal period in the cadre of ACTO by invoking Rule 16(h) of Andhra Pradesh State & Subordinate Service Rules, 1996 – Orders – Issued.

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#### REVENUE (CT.I) DEPARTMENT

G.O.Rt.No. 17

Dated:03.01.2012.  
Read the following

1. Representation dated. 03.02.2011 of Smt N.Padmavathi, ACTO, O/o CTO, Lad Bazar Circle, Charminar Division.
- 2.CCTs Ref No.DX(2)/145/2011, Dated.11.05.2011.
- 3.Govt. Memo No.19842/CT.I(2)/2011, dated.27.06.2011.
- 4.Govt. Memo No.19842/CT.I(2)/2011, dated.12.07.2011.
- 5.CCTs Ref No.DX(2)/145/2011, Dated.21.07.2011.
- 6.The Addl.Secretary, APPSC Letter No.1749/DTM/2001, Dt.26.05.2011.

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#### ORDER:

In the reference 1st read above, Smt N.Padmavathi, ACTO, O/o CTO, Lad Bazar Circle, Charminar Division has filed a representation before the Government stating that she joined as ACTO in the CT Department on 24.03.2005. She also stated that the Deputy Commissioner (CT), Secunderabad Division has issued orders regularizing her service w.e.f. 20.10.2006 and declared her probation on 20.10.2008 in the ACTO cadre as she did not pass the prescribed departmental tests within the period of 3 years from the date of joining. As there is delay in conducting the departmental tests by the APPSC, she has requested the Government to regularize her services and declare her probation in the cadre of ACTO w.e.f. 24.03.2005 by invoking Rule 16(h) of the APS & SS Rules, 1996.

2. In the reference 5<sup>th</sup> read above, the Commissioner of Commercial Taxes has stated that Smt N.Padmavathi has joined as ACTO on 24.03.2005. As per the provision of Rule 9 of APCT SS Rules, every person appointed by Direct Recruitment to the post of ACTO shall pass the departmental tests within the period of probation. The individual who has completed more than 5 years of service in the cadre of ACTO ought to have passed all the departmental tests within the period of two years i.e. by 23.03.2007. The Applicant has passed last departmental test on 20.10.2008(Local Fund Audit paper IV) i.e. beyond the two years with in a continuous period of three years. Further he stated that a provision enshrined in Rule 17(b) of APS & SS Rules, 1996 that in the case of any probationer failing to pass the tests or acquire the prescribed qualifications the appointing authority may extend probation to enable her to pass the prescribed tests or acquire special qualifications as the case may be and such extension by the appointing authority shall not exceed one year. As such the DC who is appointing authority may extend her probation to one year i.e. upto 23.03.2008. Even with this one year and after excluding three years, in respect of Local Fund audit Paper IV, she has passed with a delay of 7 months 10 days.

3. Government, have examined the matter carefully and observe that Smt N.Padmavathi who has joined as ACTO on 24.03.2005 did not clear all the departmental tests within the prescribed time of three years due to delay in conduct of departmental tests by the APPSC. As seen from the Lr. of APPSC in the reference 6th read above, for the departmental test to be notified in the month of July, 2007, the APPSC has issued the notification in the month of Aug, 2008; (with 13 months delay), Further, the Exam was conducted in the month of October, 2008; (with 11 months delay ) and results were published in the month of Febuary,2009; (with 13 months delay). Had the departmental test been conducted on time i.e. November, 2007 and the results published on time i.e. January, 2008, the individual would have passed the last departmental exam i.e. Local Fund audit Paper.IV within three years from the date of her joining as ACTO i.e. by 24.03.2008. In the above circumstances, it is observed that the delay in passing the test is not due to the fault of the individual but due to delay in conducting of departmental tests by the APPSC. Hence the delay in passing of tests cannot be attributed to the individual. It is therefore decided to relax rule 16(h) of Andhra Pradesh State and Subordinate Service Rules 1996 in favour of the individual by invoking the powers of relaxation conferred under Rule 31 of APS & SS Rules, 1996.

4. Accordingly, under rule 31 of APS & SS Rules, 1996, Government hereby order to relax rule 16(h) of Andhra Pradesh State and Subordinate Service Rules, 1996 in favour of Smt N.Padmavathi and to declare that she shall be deemed to have completed her probation within the normal period in the cadre of ACTO and commenced her probation with effect from 24.03.2005.

5. The Commissioner of Commercial Taxes, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Commissioner of Commercial Taxes, Hyderabad.  
**Copy to:** the individual through the Commissioner of Commercial Taxes,  
Hyderabad.  
SF/SCs.

**// FORWARDED BY ORDER //**

**SECTION OFFICER**